

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

BEFORE THE  
ILLINOIS COMMERCE COMMISSION

ILLINOIS-AMERICAN WATER COMPANY ) DOCKET NO.  
 ) 07-0407  
Application of Illinois-American )  
Water Company for a Certificate of )  
Public Convenience and Necessity )  
to provide water service to a )  
parcel in Cook County, Illinois, )  
pursuant to Section 8-407 of the )  
Public Utilities Act. )

Springfield, Illinois  
Wednesday, October 10, 2007

Met, pursuant to notice, at 10:30 a.m.

BEFORE:

MR. J. STEPHEN YODER, Administrative Law Judge

APPEARANCES:

MS. MARY G. SULLIVAN  
Associate Counsel  
100 North Water Works Drive  
Belleville, Illinois 62223

(Appearing on behalf of  
Illinois-American Water  
Company via  
teleconference)

SULLIVAN REPORTING COMPANY, by  
Carla J. Boehl, Reporter  
Ln. #084-002710

1 APPEARANCES: (Continued)

2 MS. LINDA M. BUELL  
3 Illinois Commerce Commission  
4 Office of General Counsel  
5 527 East Capitol Avenue  
6 Springfield, Illinois 62701

7 (Appearing on behalf of  
8 the Staff of the Illinois  
9 Commerce Commission)

10 MR. ARSHIA JAVAHERIAN  
11 Office of General Counsel  
12 160 North LaSalle Street, Suite C-800  
13 Chicago, Illinois 60601

14 (Appearing on behalf of  
15 the Staff of the Illinois  
16 Commerce Commission via  
17 teleconference)

18

19

20

21

22

23

24

25

26

27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
19  
20  
21  
22

I N D E X

WITNESS

DIRECT

CROSS

REDIRECT

RECROSS

None .

EXHIBITS

MARKED

ADMITTED

IAWC BK 1.0, 2.0, 3.0

E-Docket

13

ICC Staff 1.0

E-Docket

16

ICC Staff 2.0

E-Docket

14

ICC Staff 3.0

E-Docket

14

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

PROCEEDINGS

JUDGE YODER: By the authority vested in me by the Illinois Commerce Commission, I will now call Docket Number 07-0407. This is an application filed by Illinois-American Water Company seeking a Certificate of Public Convenience and Necessity to provide water service to a parcel in Cook County.

Can I have the appearances for the record, please?

MS. SULLIVAN: On behalf of Illinois-American Water Company, this is Mary Sullivan, 100 North Water Works Drive, Belleville, Illinois 62223.

MS. BUELL: Appearing on behalf of Staff witnesses of the Illinois Commerce Commission, Linda M. Buell, 527 East Capitol Avenue, Springfield, Illinois 62701.

MR. JAVAHERIAN: Also appearing on behalf of Staff witnesses of the Illinois Commerce Commission, Arshia Javaherian, 160 North LaSalle, Chicago, Illinois 60601.

JUDGE YODER: Anyone else wishing to enter their appearance in this docket? Let the record

1 reflect no response.

2 We are set for a status hearing. It  
3 is my understanding the parties wish to proceed to an  
4 evidentiary hearing this morning, is that correct,  
5 Ms. Buell?

6 MS. BUELL: That is correct, Your Honor.

7 JUDGE YODER: Ms. Buell, is Staff prepared?

8 MS. BUELL: Yes, Your Honor, Staff is prepared.

9 JUDGE YODER: All right then. Ms. Sullivan, if  
10 you would like to go ahead and get it started.

11 MS. SULLIVAN: Yes, Your Honor. On behalf of  
12 Illinois-American we had previously filed on e-Docket  
13 and provided to the parties the direct testimony,  
14 supplemental direct testimony and rebuttal testimony  
15 of Bob Khan. They were previously labeled IAWC  
16 Exhibit BK 1.0, 2.0 and 3.0. We would ask leave to  
17 file a late-filed exhibit of Mr. Khan's affidavit  
18 entering these three documents into the record. We  
19 would label that IAWC Exhibit BK 4.0.

20 JUDGE YODER: Does Staff have any objection to  
21 the admission of Mr. Khan's testimony by affidavit?

22 MS. BUELL: No objection from Staff, Your

1 Honor.

2 JUDGE YODER: All right then. We will admit  
3 IAWC BK 1.0, 2.0 and 3.0 into evidence, and then upon  
4 submission of the late-filed affidavit which will be  
5 marked, I believe, IAWC BK 4.0, the affidavit of Mr.  
6 Kahn, that will be admitted into evidence then.

7 (Whereupon IAWC Exhibits BK 1.0,  
8 2.0 and 3.0 were admitted into  
9 evidence.)

10 JUDGE YODER: Anything else on behalf of  
11 Illinois-American?

12 MS. SULLIVAN: No, Your Honor.

13 JUDGE YODER: Anything to present then on  
14 behalf of Staff?

15 MS. BUELL: Yes, Your Honor, thank you. Staff  
16 moves for admission into the evidentiary record the  
17 direct testimony of William H. Atwood, Jr.,  
18 previously marked for identification as ICC Staff  
19 Exhibit 2.0. This direct testimony consists of a  
20 cover page and 13 pages of narrative testimony and  
21 was filed via the Commission's e-Docket system on  
22 September 12, 2007.

1                   Staff also moves for the admission  
2     into the evidentiary record the affidavit of William  
3     H. Atwood, Jr., previously marked for identification  
4     as ICC Staff Exhibit 3.0. This affidavit consists of  
5     two pages and was filed via the Commission's e-Docket  
6     system on October 3, 2007.

7           JUDGE YODER: Any objection to the admission of  
8     Staff Exhibit 2.0 and 3.0 into the record,  
9     Ms. Sullivan?

10          MS. SULLIVAN: No objection, Your Honor.

11          JUDGE YODER: All right. Those will be  
12     admitted into evidence in this docket.

13                                 (Whereupon ICC Staff Exhibit 2.0  
14                                 and 3.0 were admitted into  
15                                 evidence.)

16          JUDGE YODER: Anything further to present on  
17     behalf of Staff?

18          MS. BUELL: Nothing further, Your Honor.

19          JUDGE YODER: All right then. I will have the  
20     record marked heard and taken at the end of this  
21     hearing.

22                                 It is my understanding the parties

1     intend to work on getting a draft order prepared and  
2     I imagine presenting that. I believe you indicated,  
3     Ms. Sullivan, on about the 19th?

4             MS. SULLIVAN: That is correct, Your Honor.

5             JUDGE YODER: All right. That's fine. I will  
6     await that submission of that draft order then to  
7     tender to the Commission.

8                     Anything else before we end this,  
9     Ms. Sullivan or Ms. Buell?

10            MS. BUELL: Your Honor, just one other thing.  
11     Mr. Atwood also had a verified statement.

12            JUDGE YODER: 1.0, yes.

13            MS. BUELL: That's correct, 1.0. And I do not  
14     see in my notes that this has been previously  
15     admitted into the evidentiary record.

16            JUDGE YODER: I don't think it was. I think it  
17     was tendered after our last status in support of the  
18     interim order. Do you want to move Exhibit 1.0 into  
19     evidence?

20            MS. BUELL: Just to be on the safe side, Your  
21     Honor, I think I shall do that.

22                     Staff also moves into the evidentiary



1 record the verified statement of William Atwood.  
2 This has been previously marked for identification as  
3 ICC Staff Exhibit 1.0. It consists of five pages of  
4 narrative testimony and a verification page and was  
5 previously filed via the Commission's e-Docket system  
6 on August 17, 2007.

7 JUDGE YODER: Any objection to the admission of  
8 Exhibit 1.0, the verified statement in support of the  
9 interim order?

10 MS. SULLIVAN: No objection.

11 JUDGE YODER: Okay. We will admit that also  
12 into evidence then.

13 (Whereupon ICC Staff Exhibit 1.0  
14 was admitted into evidence.)

15 JUDGE YODER: Anything further, Ms. Buell?

16 MS. BUELL: No, thank you very much, Your  
17 Honor.

18 JUDGE YODER: All right then. We will have the  
19 record marked heard and taken then and await the  
20 draft order. Thank you.

21 HEARD AND TAKEN

22